

#9

LAW OFFICES
FINNEGAN, HENDERSON, FARABOW, GARRETT & DUNNER, L.L.P.
Stanford Research Park
700 Hansen Way
Palo Alto, CA 94304

Telephone
(650) 849-6600

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(650) 849-6666

FACSIMILE TRANSMITTAL

TO

Name: Mr. Glenton Burgess

Firm: PTO - Group 2153

Fax No.: 703/746-7239

Phone No.: 703/305-4815

Subject: 09/728,434

Your File No.:

FROM

Name: Mary A. McCauley
Assistant to Linda J. Thayer

Phone No.: 650/849-6628

Fax # Verified by: mam

Pages (incl. this): 10

Date: September 24, 2001

Our File No.: 08349.0001

Confirmation Copy to Follow: N

Message:

Mr. Burgess:

Per our conversation on September 20, 2001, attached are the documents filed with the PTO on February 20, 2001, including the Revocation of Original Power of Attorney and Grant of New Power of Attorney listing Finnegan Henderson as new counsel. Please have the Revocation of Power of Attorney and Grant of New Power of Attorney acknowledged. Please call me at the above number should you need anything further.

Mary A. McCauley

RECEIVED
9/24/01
Official

If there is a problem with this transmission, notify fax room at (650) 849-6600 or the sender at the number above.

This facsimile is intended only for the individual to whom it is addressed and may contain information that is privileged, confidential, or exempt from disclosure under applicable law. If you have received this facsimile in error, please notify the sender immediately by telephone (collect), and return the original message by first-class mail to the above address.

RECEIVED

JAN 24 2001



UNITED STATES PATENT AND TRADEMARK OFFICE

 COMMISSIONER FOR PATENTS
 UNITED STATES PATENT AND TRADEMARK OFFICE
 WASHINGTON, D.C. 20230
 WWW.USPTO.GOV

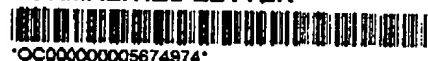
APPLICATION NUMBER	FILING RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/728,434	12/01/2000	Christopher Ryall Wallace	21748-706

021971

 WILSON SONSINI GOODRICH & ROSATI
 650 PAGE MILL ROAD
 PALO ALTO, CA 943041050

CONFIRMATION NO. 6086

FORMALITIES LETTER



OC000000005674874

Date Mailed: 01/12/2001

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.63(b)

Filing Date Granted

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given TWO MONTHS from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.
Applicant must submit \$ 710 to complete the basic filing fee and/or file a small entity statement claiming such status (37 CFR 1.27).
- Total additional claim fee(s) for this application is \$240.
 - \$240 for 3 independent claims over 3.
- The oath or declaration is unsigned.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- The balance due by applicant is \$ 1080.

The application is informal since it does not comply with the regulations for the reason(s) indicated below. Applicant is given TWO MONTHS from the date of this Notice within which to correct the informalities indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

- Substitute drawings in compliance with 37 CFR 1.84 because:

- drawing sheets do not have the appropriate margin(s) (see 37 CFR 1.84(g)). Each sheet must include a top margin of at least 2.5 cm. (1 inch), a left side margin of at least 2.5 cm. (1 inch), a right side margin of at least 1.5 cm. (5/8 inch), and a bottom margin of at least 1.0 cm. (3/8 inch);

PATENT DOCKET	
FOREIGN:	
FILED:	BY:
DATES:	
CRM #:	

CLC/KJT

Palo Alto file copy

PLEASE STAMP TO ACKNOWLEDGE RECEIPT OF THE FOLLOWING:

In Re Application of: Christopher Ryall Wallace

Serial No.: 09/728,434

Group Art Unit: 2152

Filed: December 1, 2000

Examiner: Unassigned

For: METHOD FOR PROVIDING STREAMING MEDIA DATA IN A
NETWORK-BASED ENVIRONMENT

FEB 20 2001

1. Response to Notice to File Missing Parts (1 page)
2. Notice to File Missing Parts (2 pages)
3. Declaration and Power of Attorney (1 page)
4. Recordation Form Cover Sheet (1 page)
5. Assignment (1 page)
6. Check for \$1,120.00
7. Revocation of Power of Attorney and Grant of New Power of Attorney (2 pages)



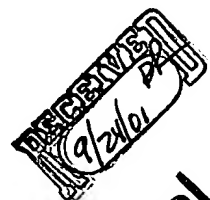
Dated: February 20, 2001

Docket No.: 08349.0001-00000

Attorney: Linda J. Thayer

Mail Drop: CA

DUE 3-12-01



Official

PATENT
Customer Number 22,852
Attorney Docket No.: 8349.0001-00

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)
)
Christopher Ryali Wallace) Group Art Unit: 2152
)
Serial No.: 09/728,434) Examiner: Unassigned
)
Filed: December 1, 2000)
)
For: METHOD FOR PROVIDING)
STREAMING MEDIA DATA IN A)
NETWORK-BASED ENVIRONMENT)

Attention: **BOX MISSING PARTS**
Assistant Commissioner for Patents
Washington, DC 20231

**RESPONSE TO NOTICE TO FILE
MISSING PARTS OF APPLICATION**

In response to the Notice to File Missing Parts dated January 12, 2001, Applicant submits a Declaration/Power of Attorney for filing in the above-identified application, as well as the required fees and a copy of the Notice to File Missing Parts. Please associate the enclosed Declaration with the above-identified application. Applicant also submits an executed Assignment and Assignment Recordation Form Cover Sheet.

This application was filed by the law firm of Wilson, Sonsini, Goodrich & Rosati and, although it never filed a Power of Attorney, this firm appears on PTO correspondence as attorneys of record. In an effort to make clear the client's intent to revoke any power of attorney that may have been implicitly granted in Wilson, Sonsini, we also file a Revocation of Power of Attorney signed by the Assignee.

We enclose our check in the amount of \$1,120.00, which includes an application fee of \$710.00, an extra claim fee of \$240.00, a surcharge fee of \$130.00, and an Assignment recordation fee of \$40.00

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,
GARRETT & DUNNER, L.L.P.

By: *Linda J. Thayer*
Linda J. Thayer
Reg. No. 45,681

Dated: February 16, 2001

LAW OFFICES
FINNEGAN, HENDERSON,
FARABOW, GARRETT
& DUNNER, L.L.P.
TANFORD RESEARCH PARK
700 HANSEN WAY
PALO ALTO, CALIF. 94304
650-849-6600



*A copy of this notice **MUST** be returned with the reply.*

Heidi

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 1 - ATTORNEY/APPLICANT COPY

DECLARATION AND POWER OF ATTORNEY

As a below named inventor, I hereby declare that: my residence, post office address and citizenship are as stated below next to my name; I believe I am the original, first, and sole inventor (if only one name is listed below) or an original, first, and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled: METHOD FOR PROVIDING STREAMING MEDIA DATA IN A NETWORK-BASED ENVIRONMENT the specification of which was filed on December 1, 2000 as United States Application Serial No. 09/728,434.

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above. I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR § 1.56.

I hereby claim foreign priority benefits under 35 U.S.C. § 119(a)-(d) or § 365(b) of any foreign application(s) for patent or inventor's certificate or § 365(a) of any PCT international application(s) designating at least one country other than the United States, listed below and have also identified below, any foreign application(s) for patent or inventor's certificate, or any PCT International application(s) having a filing date before that of the application(s) of which priority is claimed:

Country	Application Number	Date of Filing	Priority Claimed Under 35 U.S.C. 119
			<input type="checkbox"/> YES <input type="checkbox"/> NO
			<input type="checkbox"/> YES <input type="checkbox"/> NO

I hereby claim the benefit under 35 U.S.C. § 119(e) of any United States provisional application(s) listed below:


Application Number	Date of Filing
60/168,917	December 3, 1999

I hereby claim the benefit under 35 U.S.C. § 120 of any United States application(s) or § 365(c) of any PCT International application(s) designating the United States, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT International application(s) in the manner provided by the first paragraph of 35 U.S.C. § 112, I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR § 1.56 which became available between the filing date of the prior application(s) and the national or PCT International filing date of this application:

Application Number	Date of Filing	Status (Patented, Pending, Abandoned)

I hereby appoint the following attorney and/or agent(s) to prosecute this application and transact all business in the Patent and Trademark Office connected therewith. FINNEGAN, HENDERSON, FARABOW, GARRETT & DUNNER, L.L.P., CUSTOMER NUMBER 22,852, Douglas B. Henderson, Reg. No. 20,291; Ford F. Farabow, Jr., Reg. No. 20,630; Arthur S. Garrett, Reg. No. 20,338; Donald R. Dunner, Reg. No. 19,073; Brian G. Brunsvoild, Reg. No. 22,593; Tipton D. Jennings, IV, Reg. No. 20,645; Jerry D. Voight, Reg. No. 23,020; Laurence R. Hefter, Reg. No. 20,827; Kenneth E. Payne, Reg. No. 23,098; Herbert H. Mintz, Reg. No. 26,691; C. Larry O'Rourke, Reg. No. 26,014; Albert J. Santorelli, Reg. No. 22,610; Michael C. Elmer, Reg. No. 25,857; Richard H. Smith, Reg. No. 20,609; Stephen L. Peterson, Reg. No. 26,325; John M. Romary, Reg. No. 26,331; Bruce C. Zotter, Reg. No. 27,680; Dennis P. O'Reilly, Reg. No. 27,932; Allen M. Sokal, Reg. No. 26,695; Robert D. Bajefsky, Reg. No. 25,387; Richard L. Stroup, Reg. No. 28,478; David W. Hill, Reg. No. 28,220; Thomas L. Irving, Reg. No. 28,619; Charles E. Lipsey, Reg. No. 28,165; Thomas W. Winland, Reg. No. 27,605; Basil J. Lewis, Reg. No. 28,818; Martin I. Fuchs, Reg. No. 28,508; E. Robert Yoches, Reg. No. 30,120; Barry W. Graham, Reg. No. 29,924; Susan Haberman Griffen, Reg. No. 30,907; Richard B. Racine, Reg. No. 30,416; Thomas H. Jenkins, Reg. No. 30,857; Robert E. Converse, Jr., Reg. No. 27,432; Clair X. Mullen, Jr., Reg. No. 20,348; Christopher P. Foley, Reg. No. 31,354; John C. Paul, Reg. No. 30,413; Roger D. Taylor, Reg. No. 28,992; David M. Kelly, Reg. No. 30,953; Kenneth J. Meyers, Reg. No. 25,145; Carol P. Einaudi, Reg. No. 32,220; Walter Y. Boyd, Jr., Reg. No. 31,738; Steven M. Anzalone, Reg. No. 32,095; Jean B. Fordis, Reg. No. 32,984; Barbara C. McCurdy, Reg. No. 32,120; James K. Hammond, Reg. No. 31,964; Richard V. Burgujian, Reg. No. 31,744; J. Michael Jakes, Reg. No. 32,824; Thomas W. Banks, Reg. No. 32,719; Christopher P. Isaac, Reg. No. 32,616; Bryan C. Diner, Reg. No. 32,409; M. Paul Barker, Reg. No. 32,013; Andrew Chanho Sonu, Reg. No. 33,457; David S. Forman, Reg. No. 33,694; Vincent P. Kovalick, Reg. No. 32,867; James W. Edmondson, Reg. No. 33,871; Michael R. McGurk, Reg. No. 32,045; Joann M. Neth, Reg. No. 36,363; Gerson S. Panitch, Reg. No. 33,751; Cheri M. Taylor, Reg. No. 33,216; Charles E. Van Horn, Reg. No. 40,266; Linda A. Wadler, Reg. No. 33,218; Jeffrey A. Berkowitz, Reg. No. 36,743; Michael R. Kelly, Reg. No. 33,921; James B. Monroe, Reg. No. 33,971; Doris Johnson Hines, Reg. No. 34,629; Allen R. Jensen, Reg. No. 28,224; Lori Ann Johnson, Reg. No. 34,498; and David A. Manspelzer, Reg. No. 37,540; Linda J. Thayer, Reg. No. 45,681; and Jason E. Gorden, Reg. No. 46,734. Please address all correspondence to FINNEGAN, HENDERSON, FARABOW, GARRETT & DUNNER, L.L.P. 1300 I Street, N.W., Washington, D.C. 20005, Telephone No. (202) 408-4000.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Full Name of First Inventor Christopher Ryall Wallace	Inventor's Signature 	Date 2-13-01
Residence San Francisco, CA	Citizenship United States of America	
Post Office Address 567 Vermont Street, San Francisco, CA 94107		

FINNEGAN, HENDERSON, FARABOW, GARRETT & DUNNER, L.L.P.

FORM PTO-1595
1-31-92RECORDATION FORM COVER SHEET
PATENTS ONLYU.S. Department of Commerce
Patent and Trademark Office
Attorney Docket No.: 8349.0001-00
Attorney Customer Number: 22,852To the Honorable Commissioner of Patents and Trademarks:
Please record the attached original documents or copy thereof.

ATTN. BOX ASSIGNMENTS

1. Name of conveying party(ies):
Christopher Ryall Wallace

2. Name and address of receiving party(ies):

Name: Digital Pipe, Inc.

Additional name(s) of conveying party(ies) attached? ☐ Yes ☒ No

Internal Address:

3. Nature of conveyance:

Street Address: 1155 Triton Drive, Suite A

☒ Assignment ☐ Merger

City: Foster City

☐ Security Agreement ☐ Change of Name

State: CA Zip Code: 93303

☐ Other:

Additional name(s) & Address(es) attached?

Execution Date:

☐ Yes ☒ No

4. Application number(s) or patent number(s): If this document is being filed together with a new application, the execution date of the application:

A. Patent Application Number(s):

09/728,434

B. Patent Number(s):

Additional numbers attached?

☐ Yes ☒ No

5. Name and address of party to whom correspondence concerning document should be mailed:

Name:

6. Total number of applications and registrations involved: 1

7. Total fee (37 CFR 3.41): \$40

☒ Enclosed (Please charge deficiency to deposit account)☐ Authorized to be charged to deposit account

Internal Address: FINNEGAN, HENDERSON, FARABOW, GARRETT & DUNNER, L.L.P.

Street Address: 1300 I Street, N.W.

City: Washington

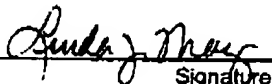
State: D.C. Zip: 20005-3315

8. Deposit Account No.: 06-0916

9. Statement and signature.

To the best of my knowledge and belief, the foregoing information is true and correct and any attached copy is a true copy of the original document.

Linda J. Thayer, Reg. No. 45,681


Signature

2/15/01

Date

Total number of pages including cover sheet, attachments and documents: 2

SOLE/JOINT INVENTION

(Worldwide Rights)

Attorney Docket No.: 8349.0001-00

ASSIGNMENT

WHEREAS I, the below named inventor, hereinafter referred to as Assignor, have made an invention entitled:

METHOD FOR PROVIDING STREAMING MEDIA DATA IN A NETWORK-BASED ENVIRONMENT

for which I filed an application for United States Letters Patent on December 1, 2000 (Serial No. 09/728,434); and

WHEREAS, Digital Pipe, Inc., a corporation of California whose post office address is 1155 Triton Drive, Suite A, Foster City, CA 93303 (hereinafter referred to as Assignee), is desirous of securing the entire right, title, and interest in and to this invention in all countries throughout the world, and in and to the application for United States Letters Patent on this invention and the Letters Patent to be issued upon this application;

NOW THEREFORE, be it known that for and in consideration of the sum of One Dollar (\$1.00) in hand paid and other good and valuable consideration the receipt of which from Assignee is hereby acknowledged, I, as Assignors, have sold, assigned, transferred, and set over, and do hereby sell, assign, transfer, and set over unto the Assignee, its lawful successors and assigns, my entire right, title, and interest in and to this invention, provisional application Serial No. 60/168,917, filed December 3, 1999, and this application, and all divisions, and continuations thereof, and all Letters Patent of the United States which may be granted thereon, and all reissues thereof, and all rights to claim priority on the basis of the above provisional application, as well as all rights to claim priority on the basis of this application, and all applications for Letters Patent which may hereafter be filed for this invention in any foreign country and all Letters Patent which may be granted on this invention in any foreign country, and all extensions, renewals, and reissues thereof; and I hereby authorize and request the Commissioner of Patents and Trademarks of the United States and any official of any foreign country whose duty it is to issue patents on applications as described above, to issue all Letters Patent for this invention to Assignee, its successors and assigns, in accordance with the terms of this Assignment;

AND, I HEREBY covenant that I have the full right to convey the interest assigned by this Assignment, and I have not executed and will not execute any agreement in conflict with this Assignment;

AND, I HEREBY further covenant and agree that I will, without further consideration, communicate with Assignee, its successors and assigns, any facts known to me respecting this invention, and testify in any legal proceeding, sign all lawful papers when called upon to do so, execute and deliver any and all papers that may be necessary or desirable to perfect the title to this invention in said Assignee, its successors or assigns, execute all divisional, continuation, and reissue applications, make all rightful oaths and generally do everything possible to aid Assignee, its successors and assigns, to obtain and enforce proper patent protection for this invention in the United States and any foreign country, it being understood that any expense incident to the execution of such papers shall be borne by the Assignee, its successors and assigns.

IN TESTIMONY WHEREOF, I have hereunto set our hands.

County of _____)

State of _____)

ss.

Christopher Ryall Wallace

567 Vermont Street, San Francisco, CA 94107

By: _____

Date: _____

Subscribed and sworn to before me this _____ day of _____, 2001
_____, Notary Public